

1 ARTHUR W. LAZEAR, SBN 083603
2 arthur@lazearmack.com
3 MORGAN M. MACK, SBN 212659
morgan@lazearmack.com
4 LAZEAR MACK
436-14TH STREET SUITE 1117
OAKLAND, CA 94612
5 510-735-6316 510-545-2442 FAX

6 Attorneys for Plaintiff
BREANA JOHNSON
7

8 UNITED STATES DISTRICT COURT

9 NORTHERN DISTRICT OF CALIFORNIA

10 BREANA JOHNSON,

Case No.: 3:15-CV-04026-JST

11 Plaintiff,

12 vs.

13 SEARS HOMETOWN AND OUTLET STORES,
INC.,
14 Defendant

15 STIPULATION AND ORDER MODIFYING
BRIEFING SCHEDULE ON MOTION TO
COMPEL ARBITRATION

16 Plaintiff BREANA JOHNSON (“Plaintiff”) and Defendants SEARS HOMETOWN AND
17 OUTLET STORES, INC., SEARS AUTHORIZED HOMETOWN STORES, LLC and SEARS
18 OUTLET STORES, LLC (“Defendants”) (collectively “the Parties”), by and through their
19 attorneys of record, stipulate as follows:

20 WHEREAS Defendants have filed a Motion to Compel Arbitration and Dismiss or Stay
21 Action;

22 WHEREAS, said Motion is set to be heard by the Court on December 10, 2015;

23 WHEREAS the date for Plaintiff to file an opposition to said motion was originally
24 scheduled to be October 19, 2015, and the date for Defendants to file a reply was scheduled to be
25 October 26, 2015;

26 STIPULATION AND ORDER MODIFYING BRIEFING SCHEDULE ON MOTION TO COMPEL
27 ARBITRATION

1 WHEREAS due to a medical emergency in the family of Plaintiff's counsel, Arthur
2 Lazear, it will be difficult or impossible for him to conduct a thorough investigation of the issues
3 involved in this motion and to prepare an opposition on or before October 19, 2015:
4

5 WHEREAS Plaintiff's counsel believes he will need until November 2, 2015 to prepare a
6 proper opposition;

7 WHEREAS Defendant's reply would be due on November 9, 2015 if Plaintiff were to
8 file her opposition on November 2, 2015;

9 WHEREAS Defendant's counsel is scheduled to be involved in a two-week mediation
10 during and immediately prior to the time that their reply would then be due;

11 IT IS NOW HEREBY STIPULATED AND AGREED that: The deadline for Plaintiff to
12 file her opposition to Defendants' Motion to Compel Arbitration and Dismiss or Stay Action is
13 extended from October 19, 2015 to November 2, 2015, and the deadline for Defendants to file
14 their reply to that opposition is extended from October 26, 2015 to November 16, 2015.

15 Dated: October 16, 2015

Arthur W. Lazear

ARTHUR W. LAZEAR

MORGAN M. MACK

LAZEAR MACK

Attorneys for Plaintiff

19
20 Dated: October 16, 2015

L. David Russell

21 L. DAVID RUSSELL

JENNER & BLOCK

22 Attorneys for Defendants

24 Pursuant to the above stipulation,

25 ITS IS HEREBY ORDERED that: The deadline for Plaintiff to file her opposition to
26 Defendants' Motion to Compel Arbitration and Dismiss or Stay Action is extended from October

28 STIPULATION AND ORDER MODIFYING BRIEFING SCHEDULE ON MOTION TO COMPEL
ARBITRATION

1 19, 2015 to November 2, 2015, and the deadline for Defendants to file their reply to that
2 opposition is extended from October 26, 2015 to November 16, 2015.
3

4 Dated: October 16, 2015
5


6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

THE HONORABLE JON S. TIGAR
United States District Judge

STIPULATION AND ORDER MODIFYING BRIEFING SCHEDULE ON MOTION TO COMPEL
ARBITRATION